

RICK D. NYDEGGER
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
JOHN M. GUYNNE
CHARLES L. ROBERTS
DANA L. TANGREN
ERIC L. MASCHOFF
CHARLES J. NEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE *
STERLING A. BRENNAN *
GREGORY M. TAYLOR
DAVID B. DELLENBACH
R. BURNS ISRAELSEN
DAVID R. TODD
L. DAVID GRIFFIN
ADRIAN J. LEE
FRASER D. ROY
CARL T. REED



11324 U.S.PTO
123003

WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328-1707
WEBSITE: [HTTP://WWW.WNLAW.COM](http://www.wnlaw.com)

Express Mail Label No. EV 396 737 760 US

PATENT APPLICATION
Docket No: 15436.29.1.4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

17302 U.S.PTO
10/748051
123003

TRANSMITTAL FOR CONTINUATION PATENT APPLICATION

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 10/629,253, filed on July 28, 2003, of Lewis B. Aronson, Giorgio Giaretta, Stefano Schiaffino, Dev E. Kumar, and T.G. Beck Mason for SMALL FORM FACTOR TRANSCEIVER WITH EXTERNALLY MODULAR LASER, (hereinafter "the Parent Application").

- A. Enclosed Application Elements and Accompanying Parts
 - A specification, claims, abstract, and cover page in total comprising forty-nine (49) pages.
 - Ten (10) sheets of drawings.
 - A copy of the Declaration, Power of Attorney, and Petition as originally filed in the Parent Application and currently in effect.
 - A Request for Nonpublicaiton of Application.
 - Entitlement to small entity status under 37 C.F.R. §§ 1.9 and 1.27.
 - A Declaration Claiming Small Entity Status is enclosed.
 - A Declaration Claiming Small Entity Status was filed in the Parent Application and such status is still proper and desired.

— The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

- A Certificate of Mailing by "Express Mail" certifying a filing date for the enclosed application by use of Express Mail Label No. EV396737760US.
- A Preliminary Amendment.
- An Associate Power of Attorney.

B. Instructions and Averments

- Priority to United States Patent Application Serial No. 10/629,253, filed July 28, 2003, which is a continuation-in-part of U.S. Patent Application Serial No. 10/625,022, filed July 23, 2003, which claims the benefit of U.S. Provisional Patent Application Serial No. 60/477,868, filed June 12, 2003 and is also a continuation-in-part of Application No. 10/231,395, filed August 29, 2002, which is a continuation-in-part of Application No. 10/077,067, filed February 14, 2002, now U.S. Patent No. 6,586,678 is claimed under 35 U.S.C. § 120.
- Priority to _____ (country) Application Serial No. _____ filed on _____ is claimed under 35 U.S.C. § 119.
- A certified copy of the above priority application is filed in prior application Serial No. _____, filed _____.
- The Parent Application is assigned of record to Finisar Corporation, a copy of the assignment is enclosed.

C. Payments

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$		\$770
TOT. CLAIMS	13-20=	0	X 9=		X 18=	0
IND. CLAIMS	2-3=	0	X 42		X 84=	0
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			TOTAL		TOTAL	770

- Form PTO-2038 submitting Credit Card Payment in the amount of \$770.00 covering the filing fee is enclosed.

- Please debit Deposit Account No. 23-3178 in the amount of \$____ for the government filing fee.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
 - Any additional filing fees required under 37 C.F.R. § 1.16.
 - Any patent application processing fees under 37 C.F.R. § 1.17.
- The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.
 - Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
 - Any patent application processing fees under 37 C.F.R. § 1.17.
- The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).
- A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 30th day of December 2003.

Respectfully submitted,



CARL T. REED
Attorney for Applicant
Registration No. 45,454
Customer No. 022913

PATENT APPLICATION
Docket No. 15436.29.1.4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label No.: EV 396 737 760 US

Date of Deposit: December 30, 2003

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Patent Application in the names of Lewis B. Aronson, Giorgio Giaretta, Stefano Schiaffino, Dev E. Kumar, and T.G. Beck Mason for SMALL FORM FACTOR OPTICAL TRANSCEIVER WITH EXTENDED TRANSMISSION RANGE (49 pages)
- Drawings (10 sheets)
- Copy of Declaration, Power of Attorney and Petition (7 pages)
- Copy of assignment (7 pages)
- Transmittal Letter (3 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$770.00
- Postcard

Dated this 30th day of December 2003.

Respectfully submitted,



CARL T. REED
Attorney for Applicant
Registration No. 45,454
Customer No. 022913